

151 FERC ¶ 61,154
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Norman C. Bay, Chairman;
Philip D. Moeller, Cheryl A. LaFleur,
Tony Clark, and Colette D. Honorable.

Participating Transmission Owners
Administrative Committee

Docket Nos. ER15-517-000
ER15-517-001

ORDER ON COMPLIANCE FILING AND REQUEST FOR WAIVERS

(Issued May 19, 2015)

1. On December 1, 2014, as amended on April 14, 2015, the PTO Administrative Committee, on behalf of the Participating Transmission Owners (PTO),¹ the Schedule 20A Service Providers (SSP),² Cross-Sound Cable Company, LLC (Cross-Sound Cable),

¹ The PTOs include: Town of Braintree Electric Light Dep't; NSTAR Electric Co.; Central Maine Power Co.; Maine Electric Power Co.; Chicopee Electric Light Dep't; Connecticut Municipal Electric Energy Coop.; Connecticut Transmission Municipal Electric Energy Coop.; Emera Maine (Bangor Hydro Division); City of Holyoke Gas and Electric Dep't; Green Mountain Power Corp.; Hudson Light and Power Dep't; Massachusetts Municipal Wholesale Electric Co.; Middleborough Gas and Electric Dep't; New England Power Co. d/b/a National Grid; New Hampshire Electric Coop., Inc.; New Hampshire Transmission, LLC; Northeast Utilities Service Co. on behalf of certain of its affiliates: The Connecticut Light and Power Co., Western Massachusetts Electric Co., and Public Service Co. of New Hampshire; NSTAR Electric Co.; Taunton Municipal Lighting Plant; Town of Norwood Municipal Light Dep't; Town of Reading Municipal Light Dep't; The United Illuminating Co.; Unitil Energy Systems, Inc. and Fitchburg Gas and Electric Light Co.; Vermont Electric Coop. Inc.; Vermont Electric Power Co. Inc.; Vermont Transco, LLC; Vermont Public Power Supply Authority; and Town of Wallingford Electric Division.

² The SSPs hold the rights to the transmission capacity over the Phase I/II high voltage, direct current interconnection (Phase I/II HVDC-TF) between Quebec, Canada, and New England and who make those rights available on an open access basis to Transmission Customers under Schedule 20A of the ISO OATT. The SSPs include: Emera Maine - Bangor Hydro Division (BM) (BM offers the use rights of PPL
(continued ...)

New England Power Company, Northeast Utilities Service Company, Unitil Energy Systems, Inc., Fitchburg Gas and Electric Light Company, and ISO New England Inc. (collectively, Filing Parties) filed a compliance filing and a request for waivers³ in response to the compliance requirements of Order No. 676-H.⁴ Order No. 676-H revised the Commission's regulations to incorporate by reference, with certain enumerated exceptions, the latest version (Version 003) of the Standards for Business Practices and Communication Protocols for Public Utilities (Business Practice Standards) adopted by the Wholesale Electric Quadrant (WEQ) of the North American Energy Standards Board (NAESB) as mandatory enforceable requirements. In this order, we conditionally accept Filing Parties' Order No. 676-H compliance filing, effective May 15, 2015, deny certain requested waivers, dismiss other requested waivers as unnecessary, and direct a compliance filing to be submitted within 60 days of the date of this order.

I. Background

2. On September 18, 2014, the Commission issued Order No. 676-H, which amends the Commission's regulations under the Federal Power Act (FPA)⁵ to incorporate by reference, with certain enumerated exceptions, Version 003 of the Business Practice Standards.⁶ In addition, in Order No. 676-H, the Commission listed, as guidance, NAESB's Smart Grid Standards (Standards WEQ-016, WEQ-017, WEQ-018, WEQ-019,

EnergyPlus, LLC, under Schedule 20A); NSTAR Electric Co.; Central Maine Power Co. (CMP); Green Mountain Power Corp. (GMP offers the Use Rights of Fitchburg Gas and Electric Light Company and UNITIL Power Corp., under Schedule 20A); New England Power Co.; Northeast Utilities Service Co. on behalf of its affiliates: The Connecticut Light and Power Co., Western Massachusetts Electric Co., and Public Service Co. of New Hampshire; The United Illuminating Company; and Vermont Electric Coop.

³ Filing Parties, Docket No. ER15-517-000 (filed Dec. 1 2014). ISO New England Inc. joins this filing solely in its capacity as administrator of the ISO-NE Tariff.

⁴ *Standards for Business Practices and Communication Protocols for Public Utilities*, Order No. 676-H, 79 Fed. Reg. 56,939 (Sept. 24, 2014), FERC Stats. & Regs. ¶ 31,359 (2014) (Order No. 676-H), *as modified, errata notice*, 149 FERC ¶ 61,014 (2014), *order on reh'g*, 151 FERC ¶ 61,046 (2015) (Order No. 676-H Rehearing Order).

⁵ 16 U.S.C. § 791a (2012).

⁶ The specific NAESB Standards that the Commission incorporated by reference in Order No. 676-H are WEQ-000, WEQ-001, WEQ-002, WEQ-003, WEQ-004, WEQ-005, WEQ-006, WEQ-007, WEQ-008, WEQ-011, WEQ-012, WEQ-013, WEQ-015, and WEQ-021. *See* Order No. 676-H, FERC Stats. & Regs. ¶ 31,359 at P 18.

and WEQ-020) in Part 2 of the Commission's Regulations but did not incorporate these standards by reference into its regulations.⁷

3. The Version 003 Business Practice Standards update earlier versions of the WEQ standards that the Commission previously incorporated by reference into its regulations.⁸ These revised standards include modifications to support Order Nos. 890, 890-A, 890-B and 890-C,⁹ including standards to support Network Integration Transmission Service (NITS) on an Open Access Same-Time Information System (OASIS), Service Across Multiple Transmission Systems (SAMTS), standards to support the Commission's policy regarding rollover rights for redirects on a firm basis, standards that incorporate the functionality for Transmission Providers to credit redirect requests with the capacity of the parent reservation, and standards modifications to support consistency across the OASIS-related standards.¹⁰

4. In Order No. 676-H, the Commission explained that public utilities have a number of options with respect to compliance with Order No. 676-H. The Commission explained that public utilities can incorporate the complete set of NAESB Standards into their tariffs without modification by submitting a compliance filing containing a single statement acknowledging their obligation to comply with Version 003 Business Practice Standards as specified in Part 38 of the Commission's regulations as updated and revised.¹¹ Alternatively, public utilities may incorporate the complete set of Version 003 Business Practice Standards into their tariffs without modification if they so choose.¹²

⁷ See *id.* P 1; Order No. 676-H Rehearing Order, 151 FERC ¶ 61,046 at P 2 (citations omitted).

⁸ 18 C.F.R. § 38.2 (2014).

⁹ *Preventing Undue Discrimination and Preference in Transmission Service*, Order No. 890, FERC Stats. & Regs. ¶ 31,241 (2007), *order on reh'g*, Order No. 890-A, FERC Stats. & Regs. ¶ 31,261 (2007), *order on reh'g*, Order No. 890-B, 123 FERC ¶ 61,299 (2008), *order on reh'g*, Order No. 890-C, 126 FERC ¶ 61,228 (2009), *order on clarification*, Order No. 890-D, 129 FERC ¶ 61,126 (2009). The Version 002 Standards also included revisions made in response to Order No. 890.

¹⁰ See Order No. 676-H, FERC Stats. & Regs. ¶ 31,359 at P 2.

¹¹ See *id.* PP 87-88, 95.

¹² See *id.* P 89.

The Commission also indicated that a public utility can file a request for waivers of specific provisions, along with its reasons supporting the request.¹³

5. The Commission required public utilities to make compliance filings by December 1, 2014, in order to achieve compliance with the incorporated Version 003 Business Practice Standards by February 2, 2015.¹⁴ Subsequently, the February 2, 2015 deadline was extended to May 15, 2015.¹⁵

6. On April 16, 2015, the Commission issued the Order No. 676-H Rehearing Order, which addressed various requests for rehearing of Order No. 676-H. With respect to entities seeking waivers of certain NAESB WEQ standards, the Commission clarified that

[r]equiring a public utility to file (and the Commission to process) a waiver request for standards that on their face specifically state [that they] are only applicable to entity groups that the potential waiver requestor does not belong to is an unnecessary expenditure of time and effort for both the potential waiver requestors and the Commission, since the standard itself makes clear to whom it applies.¹⁶

Thus, the Commission stated that, going forward, any request for waivers of standards that by their terms do not apply to an entity potentially requesting waivers during the time frame the standards are effective would be dismissed as unnecessary.¹⁷

¹³ *See id.* P 88.

¹⁴ *See id.* PP 20, 88, 95. The Commission also established a separate 18-month compliance schedule for Standard 002-5.10.3 regarding the implementation of Network Integration Transmission Service OASIS templates, which are not at issue in this compliance filing.

¹⁵ *Standards for Business Practices and Communication Protocols for Public Utilities*, Notice Granting Limited Time Extension, Docket No. RM05-5-024 (issued Jan. 15, 2015).

¹⁶ Order No. 676-H Rehearing Order, 151 FERC ¶ 61,046 at P 20.

¹⁷ *Id.* P 19.

II. Filing Parties' Filing

7. Filing Parties state that they are transmission providers providing open access transmission service under the umbrella of the ISO New England Inc. (ISO-NE) Transmission, Markets and Services Tariff, and, specifically, Section II of the ISO-NE open access transmission tariff (OATT). They explain that ISO-NE operates the New England Transmission System, comprised of the transmission facilities located in the ISO-NE Control Area, and it administers the New England markets pursuant to its OATT and operating agreements with the New England transmission owners. Further, Filing Parties state that, in its capacity as the regional transmission organization (RTO) for the New England region, ISO-NE has the responsibility to protect the short-term reliability of the Control Area and to operate the system according to the reliability standards established by the Northeast Power Coordinating Council (NPCC) and the North American Electric Reliability Corporation (NERC).

A. Compliance Filing

8. Filing Parties submit a compliance filing intended to adopt Version 003 WEQ Standards for which they do not seek waiver and request waivers of certain WEQ Standards which are incorporated by reference into the Commission's regulations and which public utilities are required to incorporate by reference into their OATTs.

B. Waiver Requests

1. Filing Parties' Request for Waiver of Certain WEQ Standards

Filing Parties seek waiver from all NITS related Business Practice Standards that are contained in WEQ-000, WEQ-001, WEQ-002, and WEQ-003 in WEQ Version 003. Filing Parties state that the WEQ Version 003 NITS Standards are inapplicable to Filing Parties in New England because, in New England, transmission customers do not designate network resources to serve specific network load and, therefore, Filing Parties request waiver of those standards.

9. Filing Parties, excluding Cross-Sound Cable, request waiver of WEQ-004 – Coordinate Interchange Practices, which they state applies only to ISO-NE as the Net Interchange Authority. They argue that such standards are inapplicable due to the nature of service Filing Parties provide.¹⁸ The PTOs state that, in the New England region, the PTOs have no authority for matters affecting the identification, quantification, or approval of interchange transactions between Balancing Authorities as contemplated by

¹⁸ Transmittal at 9.

WEQ-004 and therefore do not meet the qualifications for an Approval Entity. Rather, ISO-NE is the interchange authority for interchange transactions between Balancing Authorities and is the Approval Entity for the New England region. With regard to Standard WEQ-004-1.1, intra-Balancing Area exchanges in the New England Control Area are not submitted as Requests for Interchange and e-tags are not used for intra-Balancing Area transactions. This standard is therefore inapplicable to the PTOs.

10. The SSPs likewise request waiver of WEQ-004 with the exception of its appendices that pertain to e-tag requirements. SPP states that the purpose of Standard WEQ-004 is to incorporate revisions to the approved NAESB Coordinate Interchange Business Practice to include added definitions and improvements to certain requirements of the Standard to ensure that it is in “lock-step” with the NERC Coordinate Interchange Standard. The SPPs also state that in the ISO-NE region, the SSPs have no authority for matters affecting the identification, quantification, or approval of net interchange transactions as contemplated by WEQ-004 and therefore do not qualify to be an Approval Entity. Rather, ISO-NE is the net interchange authority and the Approval Entity on behalf of the New England region. The SPPs further state that this standard is therefore generally inapplicable to the SSPs.

11. The SSPs state that the appendices to WEQ-004 contain responsibilities applicable to Transmission Service Providers (TSP). For example, the appendices include actions related to e-tags, and the SSPs—as the TSPs for the Phase I/II HVDC-TF—are responsible for those e-tag actions. Therefore, the SSPs request waiver of WEQ-004 and of any revision and/or additions to same except to the extent they have responsibilities applicable to TSPs as delineated in the appendices of Standard WEQ-004.

12. Cross-Sound Cable requests continued partial waiver of WEQ-004. Cross-Sound Cable states the purpose of WEQ-004 is to incorporate necessary revisions to the approved NAESB Coordinate Interchange Business Practice to include added definitions and improvements to certain requirements of the standard to ensure it is in lock-step with the NERC Coordinate Interchange Standard. NAESB states that WEQ-004 is applicable to Balancing Authorities, Reliability Coordinators, Interchange Authorities, Transmission Service Providers, Purchasing-Selling Entities, Generator-Provider Entities, Load-Serving Entities, and any Purchasing-Selling Entity whose transmission approval rights are cited.

13. Cross-Sound Cable contends that, while Standard WEQ-004 states that it applies in part to TSPs such as Cross-Sound Cable, the only mention of TSPs is in the main section of Standard WEQ-004 in reference to the definition of Approval Entity, where TSPs are mentioned as one of several possible entities that may have approval rights over Arranged Interchange. However, under the ISO-NE arrangements, Cross-Sound Cable has no authority for matters affecting the identification, quantification, or approval of net interchange transactions as contemplated by WEQ-004 and therefore does not qualify to

be an Approval Entity. Rather, ISO-NE is the net interchange authority and the Approval Entity on behalf of the New England region.

14. Cross-Sound Cable states the appendices contain responsibilities for the TSPs. For example, the appendices include actions related to e-tags, and Cross-Sound Cable as the TSP is responsible for those e-tag actions. Therefore, Cross-Sound Cable requests waiver of Standard WEQ-004 as it applies to Schedule 18 Merchant Transmission Facilities Service, except to the extent of the responsibilities applicable to TSPs, as delineated in the appendices of Standard WEQ-004.

15. Filing Parties also request waiver of the following WEQ Standards: WEQ-005 Area Control Error (ACE) Equation Special Cases Standards, WEQ-006 Manual Time Error Correction, and WEQ-007 Inadvertent Interchange Payback Standards. Filing Parties state that good cause exists for waiver, because these standards apply solely to Balancing Authorities, and ISO-NE—not Filing Parties—is the Balancing Authority that performs all functions associated with these standards. Accordingly, these standards are inapplicable to Filing Parties.

16. Filing Parties also seek waiver of NAESB's new standards governing Transmission Loading Relief (TLR) under WEQ-008-1, which were initiated to complement the NERC TLR process. Filing Parties state that the purpose of this standard is to define the business practice requirements necessary to complement TLR procedures that are needed for curtailment and reloading of Interchange Transactions, to relieve overloads on transmission facilities modeled in the Interchange Distribution Calculator (IDC). Filing Parties also state that these requirements apply to relieve congestion on any facility modeled within the IDC or an equivalent interconnection model.

17. Filing Parties assert that ISO-NE does not initiate TLR requests or utilize TLR-like procedures but rather implements specific rules in the ISO OATT, as accepted by the Commission, that govern how ISO-NE must curtail transmission schedules. The Commission accepted ISO-NE's waiver request in its November 20, 2008 order. Filing Parties state that, while ISO-NE does not call TLRs, it has stated that it must respond to TLRs, initiated by another entity, which the NAESB process determines as having an impact on the New England region. Like ISO-NE, Filing Parties are obligated to respond to those TLRs, and they acknowledge that they are not exempt from responding to the results of the NAESB process as required by NERC's reliability standards. Because ISO-NE does not use TLR or TLR-like procedures, Filing Parties request that they also be exempted from this requirement.

18. Filing Parties further seek waiver of the Gas/Electric Coordination Standard, WEQ-011. Filing Parties state that they do not own any power plants or any natural gas pipelines in New England. Thus, the procedures required by this standard, WEQ-011-1.2,¹⁹ do not apply to them. Further, Filing Parties explain that, as transmission providers, they are not among the types of entities described by WEQ-011-1.6.²⁰ Rather, they explain that ISO-NE acts as the Balancing Authority and Reliability Coordinator for the New England region and is responsible for the type of coordination and communication that is contemplated in WEQ-011-1.6.

19. Therefore, Filing Parties request waiver with respect to WEQ-011 as to the common provisions of Schedules 18, 20A, and 21 of the ISO-NE OATT. They state that, to the extent that WEQ-011 does apply to any of Filing Parties, the applicable party shall be individually responsible for incorporating by reference the provisions of WEQ-011 into its individual local service schedule or Schedule 18 in the case of Cross-Sound Cable.

20. Filing Parties request waiver of WEQ Standards WEQ-015 Measurement and Verification of Wholesale Electricity Demand Response, and WEQ-021 Measurement and Verification of Energy Efficiency Products. Filing Parties state that good cause exists for waiver because ISO-NE implements and administers the markets encompassing Demand Response and Energy Efficiency-related resources in accordance with the ISO-NE Tariff and performs all applicable functions associated with these standards. Therefore, these standards are inapplicable to Filing Parties.

2. Request for Limited Waiver of Certain WEQ Standards Under Individual Service Schedules

a. New England Power Company (New England Power)

21. New England Power certifies that the circumstances warranting the waiver of WEQ-001 Standards, previously granted, have not changed. New England Power seeks to continue waiver of the WEQ-001 Standards under Version 003, including revisions and additions to such standards that would be inapplicable to Schedule 21-New England

¹⁹ WEQ-011-1.2 directs the power plant operator and the transportation service provider directly connected to the power plant operator's facilities to establish procedures to communicate material changes in circumstances that may impact hourly flow rates, and the power plant operator to provide projected hourly flow rates accordingly.

²⁰ WEQ-011-1.6 establishes operational communication procedures with the appropriate transportation service provider and/or power plant operator.

Power.²¹

b. Northeast Utilities (NU Companies)

22. With the limited exception of Public Service Company of New Hampshire (PSNH),²² the utilities comprising the NU Companies²³ are requesting a general waiver of applicability from WEQ-011 (Gas/Electric Coordination). The NU Companies state that, with the exception of PSNH, the other member-utilities of the NU Companies do not own or operate any power plants or interstate natural gas pipelines, and the procedures required by WEQ-011-1.2 and WEQ-011-1.3 do not apply to them. The NU Companies further state that none of the NU Companies are entities described by WEQ-011-1.6. Instead, the NU Companies indicate that ISO-NE acts as the Balancing Authority and Reliability Coordinator for the New England region and is responsible for the type of

²¹ Specifically, New England Power seeks waiver of the following WEQ-001 Standards under Version 003: 001-1.6(b)(1) through 001-1.6(b)(3) (Posting Transmission Capability); 001-2.1 through 001-2.14 (Attribute Values Defining The Period of Service); 001-2.2 through 001-2.2.2 (Attribute Values Defining Service Class); 001-2.3 through 001-2.3.2 (Attribute Values Defining Service Types); 001-4 through 001-4.27 (On-Line Negotiation and Confirmation Process); 001-5 through 001-5.6 (Procurement of Ancillary and Other Services); 001-8 through 001-8.3.2, including WEQ 001-A (Requirements For Dealing With Multiple, Identical Transmission Service Requests); 001-9 through 001-9.8.1, including WEQ 001-B (Requirements For Dealing With Redirects On A Firm Basis); 001-10 through 001-10.8.7 (Requirements For Dealing With Redirects On A Non-Firm Basis); 001-11 through 001-11.7.1 (Resales); and 001-12 through 001-12.5.2 (Transfers); Standards 001-13.1.5 (ATC Information Link); Standards 001-14 through 001-14.2.3.3 (Zero ATC Narrative); Standards 001-15 through 001-15.2.3.5 (ATC Change Narrative); Standards 001-16 through 001-16.1 (ATC or AFC Methodology Questions); Standards 001-18 through 001-18.2 (Determination of Postback); Standards 001-19 through 0.1-19.1.2 (Grandfathered Agreements); Standards 001-22 through 001-22.2 (Information to Audit Usage of CBM); and 001-D Appendix D – Postback Conditions for Use in Calculation of ATC or AFC, as Appropriate; Standards 001-20 through 001-20.3 (Rollover Rights); and Standards 001-21 through 001-21.5.5 (Granting and Managing a CCO Reservation).

²² On October 31, 2007, the PSNH made a compliance filing adopting the gas-electric coordination communication protocol required by WEQ-011-1.2 in Docket Nos. RM96-1-027 and RM05-5-001.

²³ The NU Companies are: The Connecticut Light and Power Company (CL&P), Western Massachusetts Electric Company (WMECO), and Public Service Company of New Hampshire (PSNH).

coordination and communication that is contemplated in WEQ-011-1.6. Therefore, the only portions of WEQ-011 that apply to any of the NU Companies are WEQ-011-1.2 and WEQ-011-1.3, and the applicability of these standards is limited to PSNH.

23. The NU Companies renew their request for waiver for both Schedule 21-NU and Schedule 20A-NU from the applicability of WEQ-011, with the exception of WEQ-011-1.2 and WEQ-011-1.3, as these standards apply solely to PSNH, and with which PSNH is in compliance.

c. Unitil Energy Systems, Inc. and Fitchburg Gas and Electric Light Company

24. Unitil Companies state that they have previously been granted waiver of the OASIS requirements set out in Order No. 889,²⁴ and from the NAESB WEQ standards.²⁵ Unitil was previously granted waivers under the small entity designation provided in Order No. 676,²⁶ and Unitil Companies certify that the circumstances warranting the waivers of the OASIS requirements and the new Version 003 WEQ Standards have not changed.²⁷

25. In this proceeding, Unitil Companies request that the Commission affirm the existing waivers referenced above and, to the extent necessary, grant waiver of the new Version 003 WEQ Standards incorporated by reference in Order No. 676-H.

d. Cross-Sound Cable Company, LLC (Cross-Sound Cable)

26. Cross-Sound Cable requests continued waiver of WEQ-001-4.1. Cross-Sound Cable asserts that good cause exists to grant continued waiver of this standard, because, while this standard requires that “[a]ll reservations and price negotiations shall be conducted on OASIS,” for Cross-Sound Cable transmission service is provided in accordance with a Commission-approved process rather than through the OASIS.

²⁴ *Open Access Same-Time Information System and Standards of Conduct*, Order No. 889, FERC Stats. & Regs. ¶ 31,035 (1996), *order on reh’g*, Order No. 889-A, FERC Stats. & Regs. ¶ 31,049, *reh’g denied*, Order No. 889-B, 81 FERC ¶ 61,253 (1997).

²⁵ *Participating Transmission Owners Administrative Committee*, Docket No. ER11-23-000, 133 FERC ¶ 61,197 (2010).

²⁶ *Standards for Business Practices and Communication Protocols for Public Utilities*, Order No. 676, FERC Stats. & Regs. ¶ 31,216, at PP 85-87 (2006).

²⁷ Transmittal at 17.

27. Cross-Sound Cable also requests continued waiver of WEQ-001-9.1 through WEQ-001-10.8.7 as these standards apply to Schedule 18 MTF Service. Cross-Sound Cable states that these standards effectively assume that redirects to or from alternate points of receipt or delivery occur over a transmission network or grid. Cross-Sound Cable asserts that this treatment is different from the Cross-Sound Cable construct, because the Cross-Sound Cable is a single path. As a result, there are only two possible points associated with transmission service over the Cross-Sound Cable and, therefore, scenarios for redirects are very limited. Cross-Sound Cable states that Section 8 of Schedule 18 of the ISO-NE OATT, as approved by the Commission, provides for the process and conditions for changing the point(s) of receipt and point(s) of delivery of transmission service over the Cross-Sound Cable. To avoid customer confusion, Cross-Sound Cable requests waiver of these standards as they apply to Schedule 18 MTF Service.

28. Lastly, Cross-Sound Cable requests waiver of Standard WEQ-001-4.7.2.1 to the extent it is applicable to Schedule 18 Merchant Transmission Facilities Service. Standard WEQ-001-4.7.2.1 specifies procedures that would be used for establishing prices and bidding on transmission facilities. Cross-Sound Cable states that all of its transmission capacity is subscribed on a long-term basis by the Long Island Power Authority pursuant to a Commission-approved allocation process. It further requests waiver of this standard in the event that the Long Island Power Authority does not use its entire allocated capacity. Cross-Sound Cable states that, per the Commission's approval of Cross-Sound Cable's negotiated rate authority,²⁸ if the Long Island Power Authority does not use the entire transmission capacity, the capacity of the Cross-Sound Cable is released into the market, and the price for that capacity is dictated by the terms of Schedule 18 of the ISO-NE OATT.

29. In addition to the changes to Attachment Z related to the incorporation of the updates to the WEQ Standards, Cross-Sound Cable has made a few ministerial changes to Attachments A and C of Schedule 18 to reflect: (1) address corrections; and (2) website link correction. Cross-Sound Cable states that these changes do not affect any service provided pursuant to Schedule.

III. Notice and Responsive Pleadings

30. Notice of Filing Parties' filing in Docket No. ER15-517-000 was published in the *Federal Register*, 79 Fed. Reg. 73,062 (2014), with interventions and protests due on or before December 22, 2014. Interventions were filed by New England Power Pool Participants Committee and Northeast Utilities Service Company. Notice of Filing Parties' amendment in Docket No. ER15-517-001 was published in the *Federal Register*,

²⁸ *TransÉnergie U.S., Ltd.*, 91 FERC ¶ 61,230 (2000).

80 Fed. Reg. 22,174 (2015) with interventions and protests due on or before May 15, 2015. None was filed.

IV. Discussion

31. We find that the Filing Parties' compliance filing, absent the waiver requests, satisfactorily complies with the Commission's directives set forth in Order No. 676-H. Therefore, we will conditionally accept Filing Parties' compliance filing, effective May 15, 2015, as requested.

32. We deny Filing Parties' requests for waiver of WEQ-000, WEQ-001, WEQ-002, WEQ-003, WEQ-004, WEQ-008, WEQ-011-1.2, WEQ-011-1.3, and WEQ-011-1.6. The Filing Parties are transmission providers, so the standards apply to them, and they are required to implement the standards once they perform the relevant business practices (even if they currently do not perform those practices). By denying the waivers, we ensure that the applicant (here, Filing Parties) begins performing the relevant business practices when they become applicable, without the administrative burden of being responsible for submitting a filing to amend its tariff.

33. The Commission dismisses as unnecessary Filing Parties' requests for waiver of WEQ-005, WEQ-006, WEQ-007, WEQ-015, and WEQ-021. As clarified in the Order No. 676-H Rehearing Order, requiring a public utility to file (and the Commission to process) a waiver request for standards that on their face specifically state are only applicable to certain groups is an unnecessary expenditure of time and effort for both the potential waiver requestors and the Commission. Thus, the Commission stated that in each public utility's compliance filing in which it submits a tariff revision incorporating the NAESB standards, the public utility must either incorporate by reference each standard or indicate in its tariff that it has obtained a waiver of that standard.²⁹

34. WEQ-005, WEQ-006, WEQ-007 all specifically apply to Reliability Coordinators or Balancing Authorities. Since Applicants are neither Reliability Coordinators nor Balancing Authorities, the Commission dismisses the request for waiver of those standards as unnecessary.

35. WEQ-015 and WEQ-021 provide, in their respective applicability sections, that they are only applicable to RTOs and independent system operators (ISO). Therefore, because the Filing Parties are not RTOs or ISOs, WEQ-015 and WEQ-021 do not apply to them, and we dismiss the requests for waiver of those standards as unnecessary.

²⁹ Order No. 676-H Rehearing Order, 151 FERC ¶ 61,046 at P 20.

36. Consistent with the foregoing determination, the Commission finds that Filing Parties must, within 60 days of the issuance of this order, refile their respective tariffs to list each waived standard. No standard should be excluded.³⁰ Because we are denying the waiver requests, Filing Parties must submit revised tariff records that do not include references to waiver requests of the Version 003 NAESB standards. .

The Commission orders:

(A) Filing Parties' compliance filing is hereby conditionally accepted, effective May 15, 2015, as discussed in the body of this order.

(B) Filing Parties' requests for waiver are hereby denied, in part, and dismissed, in part, effective May 15, 2015, as discussed in the body of this order.

(C) Filing Parties are hereby directed to submit a compliance filing within 60 days of the date of this order, as discussed in the body of this order.

By the Commission.

(S E A L)

Nathaniel J. Davis, Sr.,
Deputy Secretary.

³⁰ *Id.* P 21.